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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/875,549

06/06/2001

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6894

7590

02/08/2006

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EXAMINER

TANG, KENNETH

ART UNIT

PAPER NUMBER

2195

DATE MAILED: 02/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/875,549

Applicant(s)

KUWAMOTO ET AL.

Examiner

Kenneth Tang

Art Unit

2195

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 11 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-9, 11-15, 17-27, 29-33, 35 and 36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11-15, 17-27, 29-33, 35 and 36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 January 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. This action is in response to the Amendment filed on 7/11/05. Applicant's arguments have been fully considered but are moot in view of the new grounds of rejections.
2. It is noted that claims 10, 16, 28, and 34 are cancelled. Claims 1-9, 11-15, 17-27, 29-33, and 35-36 are presented for examination.

### *Claim Rejections - 35 USC § 112*

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 9, 11-15, 17-18, 27, 29-33, and 35-36 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention:
  - a. In claim 9, the term "first at least one object" (line 2) is indefinite because it is grammatical incorrect and unclear whether or not this refers to a first object of at least one object. There is no relationship established in the claim language to indicate that this is a set, if it is. If Examiner's guess is correct, Applicant is required to amend the claim language to appropriately reflect that. The Examiner recommends amending the claim language to read "a first of at least one object" to make it grammatically correct.
  - b. In claim 9, the term "second at least one object" (line 6) is indefinite because it is grammatical incorrect and unclear whether or not this refers to a second object of at least one object. If Examiner's guess is correct, Examiner recommends amending the claim language to read "a second of at least one object" to make it grammatically correct.

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c. In claim 12, “first first identifier” and “second first identifier” are indefinite because they are grammatically incorrect. These terms are also not defined in the

Specification.

d. Claim 27 is rejected for the same reasons as stated in the rejection of claim 9.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**4. Claims 1, 6-7, 19 and 24 are rejected under 35 U.S.C. 102(b) as being anticipated over Ferrel et al. (hereinafter Ferrel) (US 5,907,837).**

5. As to claim 1, Ferrel teaches a method of building a set of information, comprising: receiving a plurality of objects having one plurality of types; and for each of the plurality of objects (*col. 4, lines 44-56 and col. 30, lines 1-14*):

responsive to the object having a first type, providing a first set of information comprising (*col. 4, lines 44-56 and col. 30, lines 1-14*):

identifiers for information (*col. 4, lines 44-56*);

information related to the object, following (association with) the identifiers (*col. 4, lines 44-56*).

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Ferrel teaches a plurality (indefinite amount but includes at least a first and second).

6. As to claim 6, Ferrel teaches responsive to the object having a second type, providing a second set of information comprising information related to the object and a third identifier embedded in said information (*col. 4, lines 44-56 and col. 30, lines 1-14*).

7. As to claim 7, Ferrel teaches the information related to the object comprises a tag; and the third identifier comprises an attribute of the tag (*col. 15, lines 35-49, etc.*).

8. As to claims 19, it is rejected for the same reasons as stated in the rejection of claim 1.

9. As to claim 24, it is rejected for the same reasons as stated in the rejection of claim 6.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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10. **Claims 2-4 and 20-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ferrel et al. (hereinafter Ferrel) (US 5,907,837) in view of Glasser et al. (hereinafter Glasser) (US 5,764,890).**

11. As to claim 2, Ferrel teaches a first and second identifier for objects (see the rejection for claim 1) but fails to explicitly teach that an identifier will be returned unchanged by a processing system. However, Glasser teaches an object ID that is unchanged by a processing system. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Ferrel and Glasser so that the object ID can be static, constant and be relied on (col. 15, lines 29-36, etc.).

12. As to claim 3, Ferrel teaches wherein the first identifier and the second identifier comprise tags (*col. 15, lines 35-49*).

13. As to claim 4, Ferrel teaches wherein each of the tags comprises a location identifier unique from the other tags corresponding to one selected from the first identifier and the second identifier (*see Abstract*).

14. As to claims 20-22, it is rejected for the same reasons as stated in the rejections of claims 2-4.

15. **Claims 5, 23, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ferrel et al. (hereinafter Ferrel) (US 5,907,837) in view of Clark et al. (hereinafter Clark) (US 6,073,163.**

16. As to claim 5, Ferrel teaches object types that contain information and identifiers but fails to explicitly teach wherein the first type comprises server side code. However, Clark teaches that the server-side code maintains information relating to objects that have been created at the client (*col. 7, lines 15-16*). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the feature of an object type comprising server side code because it increases functionality by creating awareness and being able to take action in response to other actions (*col. 7, lines 16-21*).

17. As to claim 23, it is rejected for the same reasons as stated in the rejection of claim 5.

18. As to claim 25, Ferrel teaches the information related to the object comprises a tag; and the third identifier comprises an attribute of the tag (*col. 15, lines 35-49, etc.*).

19. **Claims 8 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ferrel et al. (hereinafter Ferrel) (US 5,907,837).**

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20. As to claims 8 and 26, Ferrel fails to explicitly teach wherein the second type comprises objects not entirely server side code. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include the feature of objects not entirely server side code because this increases functionality and diversity by having some objects containing server side code and some objects that do not.

21. **Claims 9, 11-13, 15, 17-18, 27, 29-31, 33, and 35-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ferrel et al. (hereinafter Ferrel) (US 5,907,837) in view of Bapat (US 5,295,256).**

22. As to claim 9, Ferrel teaches the method of associating information received from a server with a first at least one object (*col. 4, lines 53-56*), comprising:

locating a pair of first identifiers (plurality of identifiers includes two) in the information received from the server (*col. 4, lines 53-56*); and

associating information between the pair of first identifiers (*col. 4, lines 53-56*).

Ferrel teaches a plurality (indefinite amount) of identifiers but fails to explicitly teach that the plurality or pair of identifiers corresponds to one object. However, Bapat teaches an object that is associated with a pair of object identifiers (id) (*col. 47, lines 6-12*). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Ferrel and Bapat because this would provide persistent storage (*col. 2, lines 54-68 through col. 3, lines 1-22, etc.*).



23. As to claim 11, it is rejected for the same reasons as stated in the rejection of claim 9. In addition, Ferrel teaches the associating step comprises matching each of the first object identifier with a third at least one of the at least one second object (*col. 4, lines 44-56 and col. 30, lines 1-14*).

24. As to claim 12, Bapat teaches wherein the pair of first identifiers comprises a first first identifier having a first type and a second first identifier having a second type (*col. 47, lines 6-12, col. 3, lines 1-22, etc.*).

25. As to claim 13, Ferrel fails to explicitly teach wherein the first first identifier comprises an even number and the second first identifier comprises an odd number, greater than the even number of the first first identifier. However, it is well known and obvious in the art that there are indefinite possibilities of what the identifiers can comprise and an even number and the second first identifier comprising an odd number, greater than the even number of the first first identifier is one of them.

26. As to claim 15, Ferrel teaches:  
locating a second identifier in the information received from the server (*col. 4, lines 44-56 and col. 30, lines 1-14*); and associating information corresponding to the second identifier located with a third at least one object corresponding to the second identifier (*col. 4, lines 44-56 and col. 30, lines 1-14*).

27. As to claim 17, Ferrel teaches wherein the information corresponding to the second identifier comprises information surrounding the second identifier (*col. 4, lines 44-56 and col. 30, lines 1-14*).

28. As to claim 18, Ferrel teaches wherein:  
the information corresponding to the second identifier comprises a tag and  
the second identifier comprises an attribute of the tag (*col. 4, lines 44-56 and col. 30, lines 1-14, col. 15, lines 35-49*).

29. As to claim 27, it is rejected for the same reasons as stated in the rejection of claim 9.

30. As to claim and 29-31, they are rejected for the same reasons as stated in the rejection of claims and 11-13, respectively.

31. As to claims 33, 35, and 36, they are rejected for the same reasons as stated in the rejection of claims 15, 17, and 18, respectively.

32. **Claims 14 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ferrel et al. (hereinafter Ferrel) (US 5,907,837) in view of Bapat (US 5,295,256), and further in view of Clark et al. (hereinafter Clark) (US 6,073,163.**

33. As to claim 14, Ferrel fails to explicitly teach wherein the second at least one objects comprise server side code. However, Clark teaches that the server-side code maintains information relating to objects that have been created at the client (*col. 7, lines 15-16*). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the feature of an object type comprising server side code because it increases functionality by creating awareness and being able to take action in response to other actions (*col. 7, lines 16-21*).

34. As to claim 32, it is rejected for the same reasons as stated in the rejection of claim 14.

### ***Response to Arguments***

35. *Applicant argues, on pages 15-16 of the Remarks, that the object “following” the identifier relates to an order.*

In response, the Examiner respectfully disagrees. In the Applicant’s Specification, the term “following” is not defined or even mentioned but the Specification describes the relationship between object and identifier as being an association (*page 9, lines 12-23 through page 10, lines 1-14, etc.*). In other words, the only following that would occur based on the Specification, is following the association, which is merely the use of the association.

36. In addition, new grounds of rejections make the arguments moot.

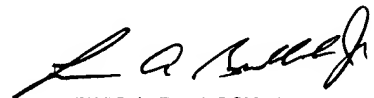
*Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth Tang whose telephone number is (571) 272-3772. The examiner can normally be reached on 8:30AM - 6:00PM, Every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kt  
2/1/06

  
LEWIS A. BULLOCK, JR.  
PRIMARY EXAMINER